

414

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, NOVEMBER 6, 1991
7:30 P.M.

ROLL CALL

Present: Council Members - Pennino, Pinkerton,
Sieglock, Snider, and Hinchman (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City
Manager Glenn, Community Development
Director Schroeder, Public Works Director
Ronsko, City Attorney McNatt, and City Clerk
Reimche

INVOCATION

The invocation was given by Pastor Bill Crabtree, Emanuel
Lutheran Church.

PLEDGE OF
ALLEGIANCE

The Pledge of Allegiance was led by Mayor Hinchman.

PRESENTATIONS

PROCLAMATIONS

Mayor Hinchman presented the following proclamations:

CC-37

- a) "Scouting for Food Good Turn Week";
- b) Proclamation commending Electric and Water
Conservation Education Program; and
- c) Proclamation commending the citizens of this
community and endorsing the public/private
partnership between the Lodi Unified School
District and California Waste Removal System
on their community-wide recycling efforts.

CERTIFICATE OF APPRECIATION
PRESENTED FOR CRIME PREVENTION
EFFORTS

Mayor Hinchman and Chief of Police Williams presented a
Certificate of Appreciation to Lenora Eutsler for her crime
prevention efforts.

NEW INTERCONNECTION AGREEMENT
WITH PACIFIC GAS AND ELECTRIC COMPANY

RESOLUTION NO. 91-198

CC-7(j)
CC-7(t)
CC-90
CC-300

Council Member Pennino abstained from discussion and voting
on the following matter because of a possible conflict of
interest.

Addressing the City Council regarding the matter were Michael McDonald, General Manager of the Northern California Power Agency and Robert Haywood, Vice President in Charge of Contracts of PG & E.

The City Council was advised that NCPA & PG&E have arrived at negotiated settlement of a number of ongoing disputes and have, in the process of these negotiations, agreed to a series of amendments to the Interconnection Agreement between NCPA and PG&E.

Historical Summary:

In 1983, NCPA, PG&E and the cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Roseville, Ukiah and the Plumas-Sierra Rural Electric Cooperative executed an Interconnection Agreement (IA) that provided for, among other things, power supply from PG&E, replacement power during outages of NCPA resources, and transmission services to NCPA and its members. Since that time, NCPA and PG&E have had numerous disputes concerning interpretation of the IA as it relates to support for NCPA resources, transmission services and other power supply issues. In addition, NCPA and PG&E have had numerous disputes outside of the IA, mostly notably FERC Docket E-7777.

The latest in the series of disputes concerned billing for transmission services under the IA and involved an attempt by PG&E to significantly increase rates for these services. Actions were subsequently filed by both parties at the Federal Energy Regulatory Commission since efforts to reach a negotiated settlement were not successful. In January 1991, the parties again attempted to negotiate a settlement and this time met with success, not only with regard to the transmission disputes, but including a number of other issues as well. As a result, the parties have agreed to settle the billing dispute, make numerous revisions to the IA, including its Rate Appendix, and settle several other proceedings involving the parties.

The New Interconnection Agreement:

The basic construction of the new IA is not considerably different than that of the old IA. However, significant detail has been added to certain sections of the IA where disputes and/or other interpretations had caused difficulties between the parties. The most notable change in the IA is to the billing provisions for transmission service. Under the old IA, NCPA and PG&E differed greatly in their interpretation of the applicable billing determinants associated with the provision of transmission service. The new billing will be based upon functionalized transmission rates and provides a straight-forward

mechanism for NCPA and PG&E to administer transmission costs during the term of the IA. As part of this Settlement Agreement, PG&E has agreed to assume the responsibility to maintain and pay for transmission facilities adequate to serve the load of NCPA member customers for all normal load growth of those member customers. Where system upgrades are required to integrate NCPA resources into PG&E's transmission system, NCPA will assume the responsibility for the initial connection facilities.

Adoption of this new IA should not, however, preclude Lodi from an equitable settlement of its long standing disagreement with PG&E regarding purchase of surplus energy for a three-month period in 1982 (the "Healdsburg" case). This situation is one in which Western Area Power Administration (WAPA) acquired surplus Northwest energy from Bonneville Power Administration (BPA) and contracted to sell that surplus energy to the cities of Alameda, Healdsburg, Lodi, Lompoc, Ukiah and Santa Clara during the months of May through September 1982. PG&E claimed that WAPA could not sell surplus Northwest energy acquired from BPA to the cities in 1982. The United States District Court recently held that WAPA could sell such surplus Northwest energy to the cities. PG&E also claimed that the cities of Alameda, Lodi and Ukiah were contractually precluded from contracting with WAPA to purchase Northwest energy without PG&E's express consent (Lodi and the other two cities had not completed negotiation with PG&E to amend their respective power contracts as had the other cities). We feel that PG&E unnecessarily withheld consent for Lodi to obtain its contracted for portion of the WAPA Northwest surplus power. Therefore, we will have to pay a larger amount to PG&E at their undiscounted rate, while PG&E gets the benefit of the cheaper power that we had to give up.

Summary:

The Settlement Agreement and amendments to the IA represent a restructuring of the relationship between NCPA and PG&E in a manner that will lower cost, increase flexibility, remove uncertainty and minimize disputes. In order to become effective, the amendments must be approved by the members' governing boards and such approval is hereby recommended with the caveat that Lodi should have assurance by both NCPA and PG&E that an equitable conclusion will be made in the 1982 surplus power purchase case.

Following discussion, on motion of Mayor Pro Tempore Pinkerton, Snider second, the City Council adopted Resolution No. 91-198 entitled, "A Resolution of the Lodi City Council Relating to an Interconnection Agreement with Pacific Gas and Electric Company".

The motion carried by the following vote:

Ayes: Council Members - Pinkerton, Sieglock, Snider,
and Hinchman

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - Pennino

REPORT GIVEN REGARDING
STOCKTON/SAN JOAQUIN TOUR '91.

CC-7(k) Deanna Enright, President of the Lodi District Chamber of
Commerce presented a report regarding the recent
Stockton/San Joaquin Tour '91.

Further, Ms. Enright presented the City of Lodi with a Lodi
District Chamber of Commerce membership plaque.

CONSENT CALENDAR In accordance with report and recommendation of the City
Manager, Council, on motion of Council Member Sieglock,
Pennino second, approved the following items hereinafter
set forth.

The following agenda items were removed from the agenda.

- a) Agenda item #E-14 entitled, "Renewal of
contracts with National Advertising Company
for rental of two billboards located on
Highway 99 entrances to the City of Lodi";
and
- b) Agenda item #E-17 entitled, "Set public
hearing for December 4, 1991 regarding
Source Reduction Recycling Element review".

CLAIMS CC-21(a) Claims were approved in the amount of \$4,392,984.08.

MINUTES The Minutes of the October 2, 1991 Regular Meeting were
approved as written.

APPLICATION FOR FISCAL YEAR
1992-93 TRANSIT CAPITAL IMPROVEMENT
FUNDS BY COUNTY OF SAN JOAQUIN APPROVED

RESOLUTION NO. 91-199

CC-7(b) The City Council was advised that the County has submitted
CC-50(a) its application to the State of California, Department of
CC-300 Transportation, Division of Rails on October 1, 1991. The

project application for funding is the second phase of a four-phase, multi-year project to construct rail station/multimodal transportation facilities in Lodi, Manteca, and Tracy. This phase of the project is to provide environmental assessment, documentation, master site planning, and preliminary engineering.

The first phase of the project has been approved for funding in fiscal year 1991-1992 for site assessments and feasibility analysis. The third phase will provide final engineering and design and the beginning of construction including securing right-of-way. The fourth phase will consist of final construction with the facilities to begin operation in December 1995.

The City Council last year submitted a resolution of support. The County of San Joaquin has again asked for a resolution of support for the 1992-1993 application.

The City Council adopted Resolution No. 91-199 entitled, "A Resolution of the Lodi City Council in Support of San Joaquin County's Application to the State Department of Transportation, Division of Rails for Transit Capital Improvement Funding".

REPORT OF SALE OF CITY PROPERTY

CC-6 The City Council received the following report regarding
CC-20 the sale of City property as required by Lodi Municipal
CC-47 Code No. 2.12.120.

On September 4, 1991, the City Council authorized the sale of scrap wire and metal which is generated during the normal course of operations by the City's utility departments.

In bids opened September 20, 1991, Sunshine Steel Enterprises of Sacramento submitted the higher of two bids received, \$3,088.43.

The vehicle, a 1979 Ford Granada in inoperable condition, had remained unsold at \$300 following the last vehicle sale in December, 1990. In September, 1991, an offer of \$250 was received from Mr. Jerry King of Modesto, and the offer was accepted.

PURCHASE OF VOICE RECORDER FOR POLICE DEPARTMENT

RESOLUTION NO. 91-200

CC-12(d) The City Council adopted Resolution No. 91-200 authorizing
CC-300 the purchase of one previously budgeted multi-channel voice

logging recorder system manufactured and sold by Racal Recorders, in the amount of \$9,900.00.

The City Council was advised that the current voice recorder is at least eight years old. It malfunctions frequently, and the police department is unable to retrieve necessary radio and telephone communications.

This recorder is a new concept. It utilizes VHS cassettes (at less than \$4.00 ea.) instead of the current eleven inch reel to reel tapes, which cost approximately \$50.00 each. The current recorder malfunctions frequently, causing the inability to retrieve critical radio and telephone conversations. The current recorder is in the communications center, where space is drastically needed. The current machine is approximately 60"x24"x24". The Racal recorder is approximately 10"x16"x9".

Racal has just developed this new product. Its design of using VHS cassettes is radically different, and Racal is a sole provider of this new technology. Several public safety agencies have purchased this new product and recommend it highly.

PURCHASE OF VIBRATORY ROLLER
WITH TANDEM TRAILER

RESOLUTION NO. 91-201

CC-12(d)
CC-300

The City Council adopted Resolution No. 91-201 approving the purchase of a vibratory roller with tandem trailer for the Street Division from Case Power and Equipment, Sacramento, California in the amount of \$26,272.69.

The City Council was advised that funds to purchase a vibratory roller with tandem trailer were approved in the 1991-92 operating budget and specifications and advertisement for bids were approved by the City Council on October 2, 1991. Bids were opened on October 16, 1991 and three bids and one alternate bid were received.

The following is a recap of the bids received:

Case Power and Equipment, Sacramento	\$26,272.69
Hogue Equipment Company, Sacramento	\$31,098.03
Ingersoll-Rand Equipment Sales, Sacramento	\$33,100.80
Ingersoll-Rand Equipment Sales, Sacramento	\$30,191.55

CONDITIONAL CONTRACT AWARD
FOR DIBROMOCHLOROPROPANE (DBCP)
TREATMENT UNIT AT WELL #16, CENTURY
BOULEVARD AND WID CANAL

RESOLUTION NO. 91-202

CC-7(f) The City Council adopted Resolution No. 91-202 awarding the
CC-90 contract for DBCP Treatment Unit at Well #16, Century
CC-183(f) Boulevard and WID Canal to Falco Construction in the amount
CC-300 of \$471,000.00 condition upon the City receiving State
approval.

The City Council was advised that this project will install a state mandated granular activated carbon (GAC) filter system at Well #16. This filter system will remove DBCP to levels established in the state safe drinking water standards.

The State Department of Health Services has given the City of Lodi an April 1992 deadline to have one filter system installed and in operation. The design of the remaining filter units for the other "contaminated" wells will begin after the first system is in operation.

This project is financed under the California Safe Drinking Water Bond Law Program administered by the State of California, Department of Water Resources, and the State Department of Health Services. The state will reimburse the City upon submittal of the proper paperwork.

Plans and specifications for this project were approved on September 18, 1991. The City received the following twelve bids for this project:

<u>Bidder</u>	<u>Location</u>	<u>Bid</u>
Engineer's Estimate		\$465,000.00
Falco Construction	Stockton	\$471,000.00
Ford Construction	Lodi	\$472,200.00
Pete Fuller Construction	Vacaville	\$475,786.00
Auburn Constructors	Sacramento	\$487,300.00
Wayne Fregien	Stockton	\$493,000.00
Conco-West	Manteca	\$494,000.00
Valley Engineers	Fresno	\$502,000.00
Conejo Constructors	Goshen	\$525,900.00
HRM Plumbing	Stockton	\$531,314.00
Enviro-Con Engineering	Fresno	\$534,700.00
Kirkwood-Bly Inc.	Santa Rosa	\$553,000.00
INA Engineering Construction	Tracy	\$596,600.00

ACCEPTANCE OF IMPROVEMENTS UNDER
SACRAMENTO STREET OVERLAY, LOCKEFORD
STREET TO TURNER ROAD CONTRACT

CC-90

The City Council accepted the improvements under the "Sacramento Street Overlay, Lockeford Street to Turner Road" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office and appropriated \$24,000.00 from the Transportation Development Act fund to complete the project.

The contract was awarded to Teichert Construction of Lodi on May 15, 1991 in the amount of \$230,084.25. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was August 20, 1991, and the actual completion date was August 20, 1991. The final contract price was \$241,060.70. The difference between the contract amount and the final contract price is mainly due to additional storm drain and paving work which was done to improve the area.

ACCEPTANCE OF IMPROVEMENTS UNDER
TYPE II SLURRY SEAL, VARIOUS CITY
STREETS, 1991 CONTRACTS

CC-90

The City Council accepted improvements for Type II Slurry Seal, Various City Streets, 1991 contract and directed the Public Works Director to file a Notice of Completion with the Council Recorder's Office.

The contract was awarded to Valley Slurry Seal Company of West Sacramento on August 7, 1991 in the amount of \$39,210.81. The contract has been completed in substantial conformance with specifications approved by the City Council.

The contract completion date was October 9, 1991 and the final contract price was \$39,743.15. The difference between the contract amount and the final contract price is mainly due to adding Locust Street between Church and School streets.

CONTRACT CHANGE ORDER, WHITE
SLOUGH WATER POLLUTION CONTROL
FACILITY CAPACITY EXPANSION
IMPROVEMENTS, 12751 NORTH THORNTON
ROAD

CC-90

This information was given to the City Council in accordance with the Contract Change Order Policy approved by Resolution 85-72. One of the requirements of this policy is that we inform the City Council of all change

orders in excess of \$25,000. Contract Change Order #6, approved by the City Manager, was in the amount of \$66,954 which is .7% of the contract. This Change Order includes additional asphalt paving, painting, existing sludge digesters No. 1 and 2 repair, chlorine building electrical and instrumentation wiring, Digester No. 3 handrail, pipe supports, modification to pump DWP-H1, as well as deletion of the following items from the contract, grit hopper cover, isolation transformers at SSPS, bubbler panel tubing, plug valves (2), and granular fill at the irrigation ditch. A complete description of the work and backup data is in the Public Works Department files. The time of completion was extended allowing 36 additional days for this Change Order.

The total cost of all change orders to date, including Change Order #6, is \$376,598, or 3.9% of the contract. The original contract price was \$9,681,218. The contract price including change orders is \$10,057,816.

FINAL MAP AND SUBDIVISION
AGREEMENT FOR CAMELLIA PLAZA,
TRACT NO. 2473 APPROVED

CC-46 The City Council approved the final map for Camellia Plaza, Tract No. 2473, and directed the City Manager and City Clerk to execute the Subdivision Agreement and map on behalf of the City.

Joyce J. Houston, Arvilla Ynez Capell, and The Bender Family 1989 Trust, the developers of this subdivision, have furnished the City with the improvement plans, the necessary agreements, guarantees, insurance certificates, and fees for the proposed subdivision.

The subdivision is located at 2010 West Tokay Street immediately west of the Woodbridge Irrigation District canal and contains a total of eight single-family residential lots.

NATURAL GAS PROCUREMENT PROGRAM
THIRD-PHASE AGREEMENT APPROVED

RESOLUTION NO. 91-203

CC-7(f) The City Council adopted Resolution No. 91-203 approving
CC-90 the Natural Gas Procurement Program Third-Phase Agreement
CC-300 and authorized the City Manager and City Clerk to execute
 the Agreement on behalf of the City.

The City Council was informed that Lodi, as a participant in the NCPA Combustion Turbine Project, looks to NCPA to obtain the most economical fuel supply. NCPA and participants have concluded that economic benefits can be

obtained by procuring contract and other rights to and for the transportation, storage and supply of natural gas for the participants' needs. The purpose of this Agreement is to assemble an integrated bundle of rights to a natural gas supply useful to NCPA and the participants.

Participation percentages for the participants are established in the Agreement. A participant may sell, transfer or assign all or any part of its participation percentage of the project with written consent of the NCPA Commission.

Approval of the above-mentioned Agreement pursuant to the Resolution will ensure proper execution of the necessary documents for timely participation in the benefits of an integrated fuel supply.

AGREEMENT WITH GREENFIELD-THOMPSON
ASSOCIATES FOR WORKERS COMPENSATION
CLAIM ADMINISTRATION APPROVED

CC-21.1(b)
CC-90

The City Council approved the renewal of the contract with Greenfield-Thompson Associates for Workers Compensation claim administration which includes an 8% fee increase.

Greenfield-Thompson Associates (GTA) began service as the City's Workers Compensation third party administrator in November, 1990. The process of transferring files and electronic data as well as getting new procedures on line has not been easy. However, an excellent communication flow and working relationship has developed between GTA and the City.

In January, 1991, workers compensation "reforms" were introduced in California. These "reforms" have served primarily to add more deadlines and bureaucratic hoops to an already complex and expensive system. The primary beneficiaries of this system have been physicians and attorneys.

The current pricing for claims administration services expires on November 1, 1991. In response to the added complexities and increased claims activity created by the 1989 Reform Act and AB 2910, GTA is requesting a 6% increase in its service fee. GTA is also asking for a 2% increase to cover operating expenses and cost of living for employees. This overall 8% increase will raise GTA's monthly fee from \$4,400 per month to \$4,750. The Service Fee agreement was presented for Council's review.

AGENDA ITEM REMOVED
FROM THE AGENDA

Agenda item #E-14 entitled, "Renewal of contracts with National Advertising Company for rental of two billboards located on Highway 99 entrances to the City of Lodi" was removed from the agenda.

TRAFFIC RESOLUTION AMENDMENT -
VARIOUS LOCATIONS TEMPORARY STOP
SIGNS TO YIELD SIGNS

RESOLUTION NO. 91-204

CC-48(h)
CC-300

The City Council adopted Resolution No. 91-204 amending the Traffic Resolution No. 87-163 to approve the temporary conversion from "stop" signs to "yield" signs at the following locations:

- a) Royal Crest Drive at Mills Avenue
- b) Bayberry Drive at Evergreen Drive
- c) White Oak Way at Evergreen Drive

The City Council was advised that the Public Works Department's existing policy is to classify streets with a volume of approximately 2,000 vehicles per day and acting as a minor collector as a "through" street. Per that policy, all minor streets intersecting a "through" street are to be controlled by a stop sign. Both Mills Avenue and Evergreen Drive are classified as "through" streets.

Staff's concern at the listed locations is the need for a traffic control as restrictive as a "stop" sign on a minor street intersection adjacent to the end of a "through" street. Citizen complaints regarding the need for "stop" signs at these locations have also been received.

Although staff feels right-of-way control is necessary at these locations, a "yield" control may be more suitable until the "through" street is extended.

Available accident records from 1987 to the present indicate that there have been no accidents at any of these locations. Traffic volumes on "through" streets are generally over 2,000 vehicles per day, however, the volumes generally drop at the end of a roadway as many drivers have already turned off of the street. Staff has field checked these locations and found no existing structures or vegetation creating a sight obstruction at this time. These locations will continue to be monitored.

Staff recommended that the "stop" signs be changed to "yield" signs at these locations until the streets are

extended. Upon extension of these streets, "stop" signs will be returned to these locations.

REPORT REGARDING REQUEST OF
CAL-PAC ROOFING, INC. FOR UNIFORM
BUILDING CODE INTERPRETATION BY
BOARD OF APPEALS

CC-14(a) The City Council was reminded that at its meeting of October 16, 1991 it received a letter from Lindsay D. Smith, Operations Manager, Cal-Pac Roofing, Inc. appealing a current policy of the Building Division of the Community Development Department. Specifically, Mr. Smith was concerned about the following:

1. Refusal to allow reroofing over existing roofing materials with Decrabond Tile, as approved in the product's I.D.B.O. Report (No. 3409);
2. Refusal to allow installation of Decrabond Tile over spaced sheeting; and
3. A requirement to install Type 30# felt under Decrabond Tile.

As indicated by the Memorandum from the Chief Building Inspector, Cal-Pac Roofing, Inc. has never officially appealed to him on these matters. Mr. Smith has discussed these items with the staff, but has never put his request in writing so that the Chief Building Inspector could respond and thereby set up the appeal process, if necessary.

ITEM REMOVED FROM AGENDA

Agenda item #E-17 entitled, "Set public hearing for December 4, 1991 regarding Source Reduction Recycling Element review" was removed from agenda.

CALIFORNIA JOINT POWERS RISK
MANAGEMENT AUTHORITY LIABILITY
AUDIT REPORT

CC-21.1(e) The City Council received a copy of the Liability Claims Audit Report completed by Nick Caili on behalf of the California Joint Powers Risk Management Authority which indicated that the City of Lodi continues to receive very effectively managed and administered liability claim administration from Insurance Consulting Associates, Inc. (ICA). There were no negative patterns or trends found as a result of this audit.

The findings of the audit are very positive as to the entire City of Lodi liability claims program and of the people involved in the program.

COMMENTS BY CITY
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

LODI LATE NIGHT BASKETBALL
PROGRAM

Council Member Sieglock commented on the Lodi Late Night Basketball Program challenging his fellow Council Members to be coaches. Mr. Sieglock urged young people interested in the program to sign up and indicated that additional sponsors are needed.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

COMPLAINTS ABOUT PRO-LIFE LITERATURE
BEING DISTRIBUTED IN THE COMMUNITY

CC-16
CC-59

Tamzin Ellsworth, 617 North School Street, Lodi addressed the City Council once again regarding the offensive pro-life literature that was left on her doorstep.

Also speaking regarding the matter were:

- a) Dave Mangrich, 157 Hemlock, Lodi; and
- b) Arthur Price, 1053 Port Chelsea Circle, Lodi.

UPDATE REQUESTED ON MOKELUMNE
RIVER ACCESS TASK FORCE

Following an inquiry by Janet Pruss, 2421 Diablo Drive, Lodi, an update was given regarding the Mokelumne River Access Task Force by Parks and Recreation Director Williamson.

PUBLIC HEARINGS

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the Planning Commission's recommendation to amend the Land Use Element of the Lodi General Plan by adopting General Plan Amendment 91-2 (GPA LU 91-2) which in part consisted of the following:

The Planning Commission recommended that the General Plan Amendment be conditioned upon the developers or owners of all parcels subject to the amendment sign an Agreement for the Provision of School Facilities Funding with the Lodi Unified School District.

The Planning Commission recommended the certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the subject General Plan Amendment.

The Planning Commission recommended approval of the request of Baumbach and Piazza Inc. Consulting Engineers on behalf of Bruce Towne, by redesignating the parcels located at 150 East Turner Road (APN 029-030-42) and 398 East Turner Road (APN 029-030-42) (proposed Towne Ranch development) totaling 81.3 acres from PR, Planned Residential to LDR, Low Density Residential.

And further to consider the Planning Commission's recommendation of the approval of the request of Baumbach and Piazza Inc. Consulting Engineers on behalf of Bruce Towne to prezone the parcels located at 150 East Turner Road (APN 029-030-01) and 398 East Turner Road (APN 029-030-42) (proposed Towne Ranch development) to R-1, Single-Family Residential, and R-2, Single-Family Residential.

The matter was introduced by Community Development Director Schroeder who gave background information pertaining to the matter, displayed diagrams of the subject area, and responded to questions as were posed by members of the City Council.

Mr. Schroeder indicated that all of the redesignations are within Phase I of the growth management areas with the exception of the south one-half (approximately 1250 feet) of Century Meadows, Units 1, 2, and 3 which is in phase II. The phase II area is included because the staff is not sure that the City can split an assessment parcel; however, the Local Agency Formation Commission can.

Addressing the City Council regarding the matter were:

- a) Terry Piazza, 323 West Elm Street, Lodi;
- b) Mrs. Roger Houston, 611 Glen Oak Drive, Lodi;
- c) Dennis Bennett, 1221 North Rivergate Drive, Lodi;
- d) Ron Williamson, Parks and Recreation Director;

- e) Ben Schaffer, 207 River Oaks Drive, Lodi;
- f) George Themaleos, 2741 Madrone Drive, Lodi;
and
- g) William Henry, 618 Glen Oak Drive, Lodi.

There being no other persons wishing to address the City Council on the matter, the public portion of the hearing was closed.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the Planning Commission's recommendation to amend the Land Use Element of the Lodi General Plan by adopting General Plan Amendment 91-2 (GPA LU 91-2) which in part consisted of the following:

The Planning Commission recommended that the General Plan Amendment be conditioned upon the developers or owners of all parcels subject to the amendment sign an Agreement for the Provision of School Facilities Funding with the Lodi Unified School District.

The Planning Commission recommended the certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the subject General Plan Amendment.

The Planning Commission recommended the approval of the request of Baumbach and Piazza, Inc., Consulting Engineers on behalf of Robert Batch by redesignating the 100.1 acre parcel located at 16891 North Lower Sacramento Road (APN 029-030-33) (proposed Lodi West development) from PR, Planned Residential to LDR, Low Density Residential.

And further to consider the Planning Commission's recommendation of the approval of the request of Baumbach and Piazza Inc. Consulting Engineers on behalf of Robert Batch to prezone the 100.1 acre parcel located at 16891 North Lower Sacramento Road (APN 029-030-33) (proposed Lodi West development) to R-1, Single-Family Residential, R-2, Single-Family Residential, and PD(29), Planned Development District No. 29.

The matter was introduced by Community Development Director Schroeder who gave background information pertaining to the matter, displayed diagrams of the subject area, and responded to questions as were posed by members of the City Council.

Mr. Schroeder indicated that all of the redesignations are within Phase I of the growth management areas with the exception of the south one-half (approximately 1250 feet) of Century Meadows, Units 1, 2, and 3 which is in phase II. The phase II area is included because the staff is not sure that the City can split an assessment parcel; however, the Local Agency Formation Commission can.

Addressing the City Council regarding the matter was Steven Pechin, 323 West Elm Street, Lodi.

There being no other persons wishing to address the Council regarding the matter, the public portion of the hearing was closed.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the Planning Commission's recommendation to amend the Land Use Element of the Lodi General Plan by adopting General Plan Amendment 91-2 (GPA LU 91-2) which in part consisted of the following:

The Planning Commission recommended that the General Plan Amendment be conditioned upon the developers or owners of all parcels subject to the amendment sign an Agreement for the Provision of School Facilities Funding with the Lodi Unified School District.

The Planning Commission recommended the certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the subject General Plan Amendment.

The Planning Commission recommended the approval of the request of Baumbach and Piazza, Inc. Consulting Engineers on behalf of Camray Development Company by redesignating the 43.4 acre parcel located at 2081 East Harney Lane (APN 058-210-09) (proposed Century Meadows I development) from PR, Planned Residential to LDR, Low Density Residential.

And further to consider the Planning Commission's recommendation of the approval of the request of Glen I. Baumbach, Baumbach and Piazza Inc., Consulting Engineers on behalf of Camray Development Company to prezone the 43.4 acre parcel located at 2081 East Harney Lane (APN 058-210-09) (proposed Century Meadows I development) to R-2, Single-Family Residential.

The matter was introduced by Community Development Director Schroeder who gave background information pertaining to the matter, displayed diagrams of the subject area, and responded to questions as were posed by members of the City Council.

Mr. Schroeder indicated that all of the redesignations are within Phase I of the growth management areas with the exception of the south one-half (approximately 1250 feet) of Century Meadows, Units 1, 2, and 3 which is in phase II. The phase II area is included because the staff is not sure that the City can split an assessment parcel; however, the Local Agency Formation Commission can.

Addressing the City Council regarding the matter were:

- a) Mr. Steve Pechin, 323 West Elm Street, Lodi;
and
- b) Mr. John Giannoni, 1420 South Mills Avenue,
Lodi.

There being no other persons wishing to address the City Council on the matter, the public portion of the hearing was closed.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the Planning Commission's recommendation to amend the Land Use Element of the Lodi General Plan by adopting General Plan Amendment 91-2 (GPA LU 91-2) which in part consisted of the following:

The Planning Commission recommended that the General Plan Amendment be conditioned upon the developers or owners of all parcels subject to the amendment sign an Agreement for the Provision of School Facilities Funding with the Lodi Unified School District.

The Planning Commission recommended the certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the subject General Plan Amendment.

The Planning Commission recommended the approval of the request of Glen I. Baumbach, Baumbach and Piazza Inc., Consulting Engineers on behalf of Delmar Batch by redesignating the parcels located at 1767 East Harney Lane (APN 058-210-02), 1831 East Harney Lane (APN 058-210-04) (proposed Century Meadows II development) totaling 39.54 acres from PR, Planned Residential to LDR, Low Density Residential.

And further to consider the Planning Commission's recommendation of the approval of the request of Glen I. Baumbach, Baumbach and Piazza, Inc. Consulting Engineers on behalf of Delmar Batch to prezone the parcels located at 1767 East Harney Lane (APN 058-210-02), 1831 East Harney Lane (APN 058-210-03) and 1865 East Harney Lane (APN

058-210-04) (proposed Century Meadows II development) to R-2, Single-Family Residential.

The matter was introduced by Community Development Director Schroeder who gave background information pertaining to the matter, displayed diagrams of the subject area, and responded to questions as were posed by members of the City Council.

Mr. Schroeder indicated that all of the redesignations are within Phase I of the growth management areas with the exception of the south one-half (approximately 1250 feet) of Century Meadows, Units 1, 2, and 3 which is in phase II. The phase II area is included because the staff is not sure that the City can split an assessment parcel; however, the Local Agency Formation Commission can.

Addressing the City Council regarding the matter was Mr. Steve Pechin, 323 West Elm Street, Lodi.

There being no other persons wishing to address the City Council regarding the matter, the public portion of the hearing was closed.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the Planning Commission's recommendation to amend the Land Use Element of the Lodi General Plan by adopting General Plan Amendment 91-2 (GPA LU 91-2) which in part consisted of the following:

The Planning Commission recommended that the General Plan Amendment be conditioned upon the developers or owners of all parcels subject to the amendment sign an Agreement for the Provision of School Facilities Funding with the Lodi Unified School District.

The Planning Commission recommended the certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the subject General Plan Amendment.

The Planning Commission recommended the approval of the request of Glen I. Baumbach, Baumbach and Piazza Inc. Consulting Engineers on behalf of Robert L. Lee by redesignating the 39.9 acre parcel located at 1601 East Harney Lane (APN 058-210-01) (proposed Century Meadows III development) from PR, Planned Residential to LDR, Low Density Residential.

And further to consider the Planning Commission's recommendation of the approval of the request of Glen I. Baumbach, Baumbach and Piazza Inc. Consulting Engineers on

behalf of R. L. Lee to prezone the parcel located at 1601 East Harney Lane (APN 058-210-01) (proposed Century Meadows III development) to R-2, Single-Family Residential.

The matter was introduced by Community Development Director Schroeder who gave background information pertaining to the matter, displayed diagrams of the subject area, and responded to questions as were posed by members of the City Council.

Mr. Schroeder indicated that all of the redesignations are within Phase I of the growth management areas with the exception of the south one-half (approximately 1250 feet) of Century Meadows, Units 1, 2, and 3 which is in phase II. The phase II area is included because the staff is not sure that the City can split an assessment parcel; however, the Local Agency Formation Commission can.

Addressing the City Council regarding the matter was Mr. Steve Pechin, 323 West Elm Street, Lodi.

There being no other persons wishing to address the City Council regarding the matter, the public portion of the hearing was closed.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the Planning Commission's recommendation to amend the Land Use Element of the Lodi General Plan by adopting General Plan Amendment 91-2 (GPA LU 91-2) which in part consisted of the following:

The Planning Commission recommended that the General Plan Amendment be conditioned upon the developers or owners of all parcels subject to the amendment sign an Agreement for the Provision of School Facilities Funding with the Lodi Unified School District.

The Planning Commission recommended the certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the subject General Plan Amendment.

The Planning Commission recommended the approval of the request of Glen I. Baumbach, Baumbach and Piazza Inc. Consulting Engineers on behalf of Delmar Batch by redesignating the 50.04 acre parcel located at 14100 North Lower Sacramento Road (APN 058-230-02) (proposed Century Meadows IV development) from PR, Planned Residential to LDR, Low Density Residential.

And further to consider the Planning Commission's recommendation of the approval of the request of Glen I.

Baumbach, Baumbach and Piazza Inc., Consulting Engineers on behalf of Delmar Batch to prezone parcel located at 14100 North Lower Sacramento Road (APN 058-230-02) (proposed Century Meadows IV development) to R-1, Single-Family Residential.

The matter was introduced by Community Development Director Schroeder who gave background information pertaining to the matter, displayed diagrams of the subject area, and responded to questions as were posed by members of the City Council.

Mr. Schroeder indicated that all of the redesignations are within Phase I of the growth management areas with the exception of the south one-half (approximately 1250 feet) of Century Meadows, Units 1, 2, and 3 which is in phase II. The phase II area is included because the staff is not sure that the City can split an assessment parcel; however, the Local Agency Formation Commission can.

Addressing the City Council regarding the matter was Mr. Steve Pechin, 323 West Elm Street, Lodi.

There being no other persons in the audience wishing to address the Council regarding the matter, the public portion of the hearing was closed.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the Planning Commission's recommendation to amend the Land Use Element of the Lodi General Plan by adopting General Plan Amendment 91-2 (GPA LU 91-2) which in part consisted of the following:

The Planning Commission recommended that the General Plan Amendment be conditioned upon the developers or owners of all parcels subject to the amendment sign an Agreement for the Provision of School Facilities Funding with the Lodi Unified School District.

The Planning Commission recommended the certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the subject General Plan Amendment.

The Planning Commission recommended the approval of the request of Ronald B. Thomas by redesignating the 11.81 acre parcel located at 3820 East Almond Drive (APN 062-060-30) (proposed Colvin Ranch development), and the parcels located at 3886 East Almond Drive (APN 062-060-31), 3910 East Almond Drive (APN 062-060-32), and 3936 East Almond Drive (APN 062-060-33) totaling 13.31 acres, from PR, Planned Residential to LDR, Low Density Residential.

The matter was introduced by Community Development Director Schroeder who gave background information pertaining to the matter, displayed diagrams of the subject area, and responded to questions as were posed by members of the City Council.

Mr. Schroeder indicated that all of the redesignations are within Phase I of the growth management areas with the exception of the south one-half (approximately 1250 feet) of Century Meadows, Units 1, 2, and 3 which is in phase II. The phase II area is included because the staff is not sure that the City can split an assessment parcel; however, the Local Agency Formation Commission can.

Addressing the City Council regarding the matter was Mr. Ron Thomas, 1209 West Tokay Street, Lodi.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the Planning Commission's recommendation to amend the Land Use Element of the Lodi General Plan by adopting General Plan Amendment 91-2 (GPA LU 91-2) which in part consisted of the following:

The Planning Commission recommended that the General Plan Amendment be conditioned upon the developers or owners of all parcels subject to the amendment sign an Agreement for the Provision of School Facilities Funding with the Lodi Unified School District.

The Planning Commission recommended the certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the subject General Plan Amendment.

The Planning Commission recommended the approval of the request of J. Jeffrey Kirst by redesignating the 24.61 acre parcel located at 14114 North Stockton Street (APN 062-290-01) (proposed Bangs Ranch development) from PR, Planned Residential to LDR, Low Density Residential.

And further to consider the Planning Commission's recommendation of the approval of the request of J. Jeffrey Kirst to prezone the parcel located at 14114 North Stockton Street (APN 062-290-01) (proposed Bangs Ranch development) to R-2, Single-Family Residential and PD(28), Planned Development District No. 28.

The matter was introduced by Community Development Director Schroeder who gave background information pertaining to the matter, displayed diagrams of the subject area, and responded to questions as were posed by members of the City Council.

Mr. Schroeder indicated that all of the redesignations are within Phase I of the growth management areas with the exception of the south one-half (approximately 1250 feet) of Century Meadows, Units 1, 2, and 3 which is in phase II. The phase II area is included because the staff is not sure that the City can split an assessment parcel; however, the Local Agency Formation Commission can.

Addressing the City Council regarding the matter was Jeffrey Kirst, 120 North Pleasant Avenue, Lodi.

There being no other persons wishing to address the Council regarding the matter, the public portion of the hearing was closed.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the Planning Commission's recommendation to amend the Land Use Element of the Lodi General Plan by adopting General Plan Amendment 91-2 (GPA LU 91-2) which in part consisted of the following:

The Planning Commission recommended that the General Plan Amendment be conditioned upon the developers or owners of all parcels subject to the amendment sign an Agreement for the Provision of School Facilities Funding with the Lodi Unified School District.

The Planning Commission recommended the certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the subject General Plan Amendment.

The Planning Commission recommended the approval of the request of Russ Munson by redesignating the parcels located at 13977 North Cherokee Lane (APN's 062-290-04, 05 and 06) totaling 30.79 acres (proposed Johnson Ranch II development) from PR, Planned Residential to LDR, Low Density Residential.

And further to consider the Planning Commission's recommendation of the approval of the request of Russ Munson to prezone the parcels located at 13977 North Cherokee Lane (APN's 062-290-04, 05 and 06) (proposed Johnson Ranch II development) to R-2, Single-Family Residential.

The matter was introduced by Community Development Director Schroeder who gave background information pertaining to the matter, displayed diagrams of the subject area, and responded to questions as were posed by members of the City Council.

Mr. Schroeder indicated that all of the redesignations are within Phase I of the growth management areas with the exception of the south one-half (approximately 1250 feet) of Century Meadows, Units 1, 2, and 3 which is in phase II. The phase II area is included because the staff is not sure that the City can split an assessment parcel; however, the Local Agency Formation Commission can.

Addressing the City Council regarding the matter was Mr. Russ Munson, 1530 Edgewood Drive, Lodi.

There being no other persons wishing to address the Council on the matter, the public portion of the hearing was closed.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the Planning Commission's recommendation to amend the Land Use Element of the Lodi General Plan by adopting General Plan Amendment 91-2 (GPA LU 91-2) which in part consisted of the following:

The Planning Commission recommended that the General Plan Amendment be conditioned upon the developers or owners of all parcels subject to the amendment sign an Agreement for the Provision of School Facilities Funding with the Lodi Unified School District.

The Planning Commission recommended the certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the subject General Plan Amendment.

The Planning Commission recommended the approval of the request of Terry Piazza, Baumbach and Piazza Inc. Consulting Engineers on behalf of Minora Morimoto and Richard Neuharth by redesignating the parcels located at 14668 North Stockton Street (APN 062-060-12), 14758 North Stockton Street (APN 062-060-04) and 3861 East Almond Drive (APN 062-060-13), a portion of the proposed Neuharth North Addition totaling 14.96 acres from PR, Planned Residential to LDR, Low Density Residential and to include with this request the Wilbert Ruhl property, 3933 and 3891 East Almond Drive (APN's 062-060-14 and 15).

And further to consider the Planning Commission's recommendation of the approval of the request of Terry Piazza, Baumbach and Piazza Inc. Consulting Engineers on

behalf of Minora Morimoto and Richard Neuharth to prezone the parcels located at 14668 North Stockton Street (APN 062-060-04), 14758 North Stockton Street (APN 062-060-12) and 3861 East Almond Drive (APN 062-060-13), a portion of the proposed Neuharth North Addition to R-2, Single-Family Residential.

The matter was introduced by Community Development Director Schroeder who gave background information pertaining to the matter, displayed diagrams of the subject area, and responded to questions as were posed by members of the City Council.

Mr. Schroeder indicated that all of the redesignations are within Phase I of the growth management areas with the exception of the south one-half (approximately 1250 feet) of Century Meadows, Units 1, 2, and 3 which is in phase II. The phase II area is included because the staff is not sure that the City can split an assessment parcel; however, the Local Agency Formation Commission can.

Addressing the City Council regarding the matter were:

- a) Mr. Terry Piazza, 323 West Elm Street, Lodi;
- b) Mr. Curtiss Jenkins, 1537 Fawnhaven Way, Lodi; and
- c) Mr. Steve Pechin, 323 West Elm Street.

There being no other persons wishing to speak on this matter, the public hearing was closed.

Addressing the City Council regarding the entire matter was Janet Pruss, 2421 Diablo Drive, Lodi, California.

On motion of Mayor Pro Tempore Pinkerton, Hinchman second, the City Council certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the following General Plan Amendment.

AMENDMENT TO LAND USE ELEMENT ADOPTED

RESOLUTION NO. 91-205

CC-53(a)
CC-300

On motion of Council Member Pennino, Pinkerton second, the City Council adopted Resolution No. 91-205 entitled, "A Resolution of the Lodi City Council Amending the Land Use Element of the Lodi General Plan by Adopting General Plan Amendment 91-2 (GPA LU 91-2), With a Condition Relating to School Facilities Funding" with the following 10 sections:

- a) the request of Baumbach and Piazza Inc. Consulting Engineers on behalf of Bruce Towne, by redesignating the parcels located at 150 East Turner Road (APN 029-030-01) and 398 East Turner Road (APN 029-030-42) (proposed Towne Ranch development) totaling 81.3 acres from PR, Planned Residential to LDR, Low Density Residential.
- b) the request of Baumbach and Piazza, Inc. Consulting Engineers on behalf of Robert Batch by redesignating the 100.1 acre parcel located at 16891 North Lower Sacramento Road (APN 029-030-33) (proposed Lodi West development) from PR, Planned Residential to LDR, Low Density Residential.
- c) the request of Baumbach and Piazza, Inc. Consulting Engineers on behalf of Camray Development Company by redesignating the 43.4 acre parcel located at 2081 East Harney Lane (APN 058-210-09) (proposed Century Meadows I development) from PR, Planned Residential to LDR, Low Density Residential.
- d) the request of Glen I. Baumbach, Baumbach and Piazza Inc., Consulting Engineers on behalf of Delmar Batch by redesignating the parcels located at 1767 East Harney Lane (APN 058-210-02), 1831 East Harney Lane (APN 058-210-03) and 1865 East Harney Lane (APN 058-210-04) (proposed Century Meadows II development) totaling 39.54 acres from PR, Planned Residential to LDR, Low Density Residential.
- e) the request of Glen I. Baumbach, Baumbach and Piazza Inc. Consulting Engineers on behalf of Robert L. Lee by redesignating the 39.9 acre parcel located at 1601 East Harney Lane (APN 058-210-01) (proposed Century Meadows III development) from PR, Planned Residential to LDR, Low Density Residential.
- f) the request of Glen I. Baumbach, Baumbach and Piazza Inc. Consulting Engineers on behalf of Delmar Batch by redesignating the 50.04 acre parcel located at 14100 North Lower Sacramento Road (APN 058-230-02) (proposed Century Meadows IV development) from PR, Planned Residential to LDR, Low Density Residential.

- g) the request of Ronald B. Thomas by redesignating the 11.81 acre parcel located at 3820 East Almond Drive (APN 062-060-30) (proposed Colvin Ranch development), and the parcels located at 3886 East Almond Drive (APN 062-060-31), 3910 East Almond Drive (APN 062-060-32), and 3936 East Almond Drive (APN 062-060-33) totaling 13.31 acres, from PR, Planned Residential to LDR, Low Density Residential.
- h) the request of J. Jeffrey Kirst by redesignating the 24.61 acre parcel located at 14114 North Stockton Street (APN 062-290-01) (proposed Bangs Ranch development) from PR, Planned Residential to LDR, Low Density Residential.
- i) the request of Russ Munson by redesignating the parcels located at 13977 North Cherokee Lane (APN's 062-290-04, 05 and 06) totaling 30.79 acres (proposed Johnson Ranch II development) from PR, Planned Residential to LDR, Low Density Residential.
- j) the request of Terry Piazza, Baumbach and Piazza Inc. Consulting Engineers on behalf of Minora Morimoto and Richard Neuharth by redesignating the parcels located at 14668 North Stockton Street (APN 062-060-12), 14758 North Stockton Street (APN 062-060-04) and 3861 East Almond Drive (APN 062-060-13), a portion of the proposed Neuharth North Addition totaling 14.96 acres from PR, Planned Residential to LDR, Low Density Residential and to include with this request the Wilbert Ruhl property, 3933 and 3891 East Almond Drive (APN's 062-060-14 and 15).

The City Council then introduced the following ordinances rezoning various parcels:

ORDINANCES INTRODUCED PREZONING VARIOUS PARCELS

ORDINANCES NO. 1529 - 1538 INCL.

- CC-53(a) On motion of Council Member Sieglock, Hinchman second, the
CC-149 City Council by unanimous vote introduced Ordinance No. 1529 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Rezoning the Parcels Located at 150 East Turner Road (APN 029-030-01) and 398 East Turner Road (APN 029-030-42) (Proposed Towne Ranch Development) to R-1, Single-Family Residential, and R-2, Single-Family

Residential, With a Condition Relating to School Facilities Funding".

On motion on Council Member Sieglock, Pennino second, the City Council by unanimous vote introduced Ordinance No. 1530 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning the 100.1 Acre Parcel Located at 16891 North Lower Sacramento Road (APN 029-030-33) (Proposed Lodi West Development) to R-1, Single-Family Residential, R-2 Single-Family Residential, and PD(29), Planned Development District No. 29, With a Condition Relating to School Facilities Funding".

On motion of Council Member Pennino, Pinkerton second, the City Council by unanimous vote introduced Ordinance No. 1531 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning the 43.4 Acre Parcel Located at 2081 East Harney Lane (APN 058-210-09) (Proposed Century Meadows I Development) to R-2, Single-Family Residential, With a Condition Relating to School Facilities Funding".

On motion of Council Member Pinkerton, Hinchman second, the City Council by unanimous vote introduced Ordinance No. 1532 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning the Parcels Located at 1767 East Harney Lane (APN 058-210-02), 1831 East Harney Lane (APN 058-210-03), and 1865 East Harney Lane (APN 058-210-02) (Proposed Century Meadows II Development) to R-2, Single-Family Residential, With a Condition Relating to School Facilities Funding".

On motion of Mayor Hinchman, Pinkerton second, the City Council by unanimous vote introduced Ordinance No. 1533 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning the Parcel Located at 1601 East Harney Lane (APN 058-210-01) (Proposed Century Meadows III Development) to R-2, Single-Family Residential, With a Condition Relating to School Facilities Funding".

On motion of Council Member Sieglock, Hinchman second, the City Council by unanimous vote introduced Ordinance No. 1534 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning the Parcel Located at 14100 North Lower Sacramento Road (APN 058-230-02) (Proposed Century Meadows IV Development) to R-2, Single-Family Residential, With a Condition Relating to School Facilities Funding".

On motion of Mayor Hinchman, Sieglock second, the City Council by unanimous vote introduced Ordinance No. 1535

entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning the Parcel Located at 3820 East Almond Drive (APN 062-060-30) (Proposed Colvin Ranch Development), and the Parcels Located at 3886 East Almond Drive (APN 062-060-31), 3910 East Almond Drive (APN 062-060-32), and 3936 East Almond Drive (APN 062-060-33) to R-2, Single-Family Residential, With a Condition Relating to School Facilities Funding".

On motion of Council Member Pennino, Sieglock second, the City Council by unanimous vote introduced Ordinance No. 1536 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning the Parcel Located at 14114 North Stockton Street (APN 062-290-01) (Proposed Bangs Ranch Development) to R-2, Single-Family Residential, and PD(28), Planned Development District No. 28, With a Condition Relating to School Facilities Funding".

On motion of Council Member Pennino, Pinkerton second, the City Council by unanimous vote introduced Ordinance No. 1537 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning the Parcels Located at 13977 North Cherokee Lane (APN's 062-290-04, 05 and 06) (Proposed Johnson Ranch II Development) to R-2, Single-Family Residential, With a Condition Relating to School Facilities Funding".

On motion of Mayor Pro Tempore Pinkerton, Hinchman second, the City Council by unanimous vote introduced Ordinance No. 1538 entitled, "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning the Parcels Located at 14668 North Stockton Street (APN 062-060-12) and 3861 East Almond Drive (APN 062-060-13), a Portion of the Proposed Neuharth North Addition to R-2, Single-Family Residential, With a Condition Relating to School Facilities Funding".

PUBLIC HEARING REGARDING PUBLIC
IMPROVEMENT REIMBURSEMENT AGREEMENT
CHARGES

RESOLUTION NO. 91-206

CC-90
CC-46
CC-300

The City Council was advised that developers are required to install water, sewer and drainage lines and street improvements necessary to serve their development. These improvements are made within the project and along the frontage of the parcel being developed thus parcels on the opposite side of the street then have those improvements available. Occasionally these improvements extend across other parcels. In either case, it is reasonable to require

subsequent developers of the other parcels to reimburse the first developer for their appropriate share of the improvements. Although this reimbursement is not required by state law, it has been the City's practice to do so for many years.

In addition to the above scenario, developers are sometimes required to "oversize" a utility to provide "upstream" capacity. In this case, State law requires that the developer be reimbursed, either by the City or the upstream property.

The Development Impact Mitigation Fees address some of these issues, mainly oversize sewers, water mains and master storm drains required by the City Master Plans. The existing Municipal Code only addresses water and sewer extensions reimbursements and does not fully comply with state law.

A new ordinance introduced at the October 16, 1991 City Council meeting does the following:

- 1) Creates a unified reimbursement procedure for improvements not covered under the Development Impact Mitigation Fees Ordinance;
- 2) Adds storm drainage and street installations as improvements eligible for reimbursement;
- 3) Repeals and/or amends existing code sections as needed to comply with the Development Impact Fee Study and the new Reimbursement Ordinance; and
- 4) Provides for a public hearing process.

The ordinance provides that the City charge the applicant for preparation of the agreement and separate a "collection charge" when the reimbursement(s) is collected. This more equitably spreads the City's costs. The ordinance provides that the preparation charge can be included in the reimbursable amount. The collection charge would then be a minor charge to prepare a bill, collect the reimbursement and process a check. It could occur once or numerous times depending on the number of parcels affected by the reimbursement agreement. The ordinance provides for these charges to be set by separate resolution.

The recommended charges, based on Public Works staff time and expenses for advertising and mailing, are:

Agreement Preparation: 1% of the reimbursable construction cost of the improvements, excluding engineering, administrative or other costs. And there is a \$500 minimum charge.

Collection Charge: \$60

Based on the amounts of past agreements, most will pay the \$500 minimum.

Addressing the City Council regarding the matter was John Giannoni, 1420 South Mills Avenue, Lodi.

There being no other persons wishing to address the City Council regarding the matter, the public portion of the hearing was closed.

On motion of Council Member Snider, Hinchman second, the City Council adopted Resolution No. 91-206 entitled, "A Resolution of the Lodi City Council Establishing Charges for Preparation and Processing of Public Improvement Reimbursement Agreements".

PLANNING COMMISSION City Manager Peterson presented the following Planning
REPORT Commission Report of the Planning Commission Meeting of
October 28, 1991.

CC-35 The Planning Commission -

a. Recommended approving the requests of Terry Piazza, Baumbach and Piazza, Inc., Consulting Engineers on behalf of Bennett and Compton:

1. to prezone 18601, 18539 and 18481 North Lilac Street, Woodbridge (APN's 015-170-07, 08 and 09) from GA, General Agriculture to R-GA, Garden Apartment Residential conditioned upon the developers and/or owners of all parcels subject to the prezonings signing an Agreement for the Provisions of School Facilities Funding with the Lodi Unified School District; and
2. to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.

b. Recommended approving the request of Melva N. Lind, et al:

1. to prezone 5430 through 5960 East Sargent Road (APN's 049-070-03, 04, 05, 06, 07, 08,

Continued November 6, 1991

09 and 10) from General Agriculture to M-2, Heavy Industrial; and

2. to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.

On motion of Council Member Pennino, Hinchman second, the City Council set items a and b heretofore set forth for public hearing at the regular City Council meeting of November 20, 1991.

The Planning Commission also -

- c. Accepted withdrawal of the request of Steven and Carol Davis for a Use Permit to operate a day care facility for 40 children at 427 West Oak Street in an area zoned R-C-P, Residential-Commercial-Professional.
- d. Conditionally approved the request of Jim Jacobson on behalf of KJK, a General Partnership, for a Tentative Parcel Map to divide 720 North Pleasant Avenue into two sing-family lots in an area zoned R-1*, Single-Family Residential - Eastside.
- e. Conditionally approved the request of Burrell Engineering on behalf of Chevron USA, Inc. for a Tentative Parcel Map to merge 1333 South Pleasant Avenue and 301 West Kettleman Lane in an area zoned C-2, General Commercial.
- f. Conditionally approved the request of Cecil Dillon, Dillon Engineering on behalf of the Minton Company, for a Tentative Parcel Map to create 3 lots from 1 parcel at 400 South Beckman Road in an area zoned M-2, Heavy Industrial.
- g. Determined that the existing conditions in the vicinity constituted a "Zoning Hardship" and approved the request of Jim Jacobson on behalf of KJK, a General Partnership, to reduce the required lot width for proposed Parcel "B" from 40 feet to 31 feet at 720 North Pleasant Avenue in an area zoned R-1*, Single-Family Residential - Eastside.
- h. Continued until November 25, 1991 the request of Lodi Honda for a Use Permit to install a programmable electronic display identification sign on an existing 70' high sign structure at 1700 South Cherokee Lane in an area zoned C-2, General Commercial.
- i. Continued until November 25, 1991 the request of Lodi Honda for a Variance to increase the maximum allowable sign area from 480 square feet to 818 square feet at 1700 South Cherokee Lane in an area zoned C-2, General Commercial.

Continued November 6, 1991

- j. Continued until November 11, 1991 the request of Tim Mattheis, Wenell, Mattheis, Bowe, Architects to reduce the setback requirement to permit a 6' high fence in the south 20' setback at 505 Pioneer Drive in an area zoned C-2, General Commercial.
- k. Conditionally approved the request of David McKay, Bennett and Associates on behalf of New Life Christian Center for a Use Permit to convert an existing commercial structure into a 520 seat sanctuary and offices at 940 East Pine Street in an area zoned M-2, Heavy Industrial.
- l. Conditionally approved the request of James G. Mihos for a Use Permit for a temporary mobile office at 724 South Cherokee Lane in an area zoned C-2, General Commercial.
- m. Set a public hearing for 7:30 p.m., November 11, 1991 to consider the request of Robert H. Lee and Associates on behalf of Chevron USA, Inc. to amend the Zoning Ordinance to allow a self-service car wash in a C-1, Neighborhood Commercial zone.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c)

On recommendation of the City Attorney and Insurance Consulting Associates, Inc. (ICA), the City's Contract Administrator, the City Council, on motion of Council Member Sieglock, Hinchman second, denied the following claims and referred them back to ICA:

- a) Shirley Kleim, Date of loss 9/20/91;
- b) Deloris Pallesen, Date of loss 9/12/91;
- c) State of California Automobile Association (SCAA), Date of loss 4/1/91; and
- d) Alta Vigario, Date of loss 9/24/91.

Pursuant to State statute, on motion of Mayor Hinchman, Sieglock second, the City Council determined that the following urgency item came to our attention following the printing and distribution of the agenda.

On motion of Mayor Hinchman, Snider second, the City Council added the following item to the agenda:

- a) Notice of Claim and Injury, Tiffany Dabbs, a minor.

On motion of Mayor Hinchman, Sieglock second, the City Council denied the claim on the basis of its insufficiency.

Continued November 6, 1991

CITY CLERK DIRECTED TO POST FOR
VACANCIES ON VARIOUS CITY BOARDS
AND COMMISSIONS

CC-2(a) Following a report by City Clerk Reimche that the following
CC-2(f) terms are due to expire on various City Boards and
CC-2(i) Commissions, on motion of Council Member Sieglock, Hinchman
CC-2(1) second, the City Clerk was directed to make the appropriate
posting:

LODI SENIOR CITIZENS COMMISSION

Trella Arieda	four-year term expiring December 31, 1991
Terry Whitmire	four-year term expiring December 31, 1991

MOSQUITO ABATEMENT DISTRICT

Robert S. Fuller	two-year term expiring December 31, 1991
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PERSONNEL BOARD OF REVIEW

Margaret Reed Talbot	four-year term expiring January 17, 1992
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SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

Janet Robinson	four-year term expiring January 1, 1992
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PETITION RECEIVED REQUESTING A
DECREASE IN THE SPEED LIMIT ON
TOKAY STREET BETWEEN MILLS AVENUE
AND LOWER SACRAMENTO ROAD

CC-48(a) On motion of Mayor Hinchman, Sieglock second, the City Council referred to staff a petition received requesting a decrease in the speed limit on Tokay Street between Mills Avenue and Lower Sacramento Road.

APPEAL OF NOTICE OF PUBLIC
NUISANCE AND ORDER TO VACATE
AND ORDER TO ABATE REGARDING
PROPERTY LOCATED AT 303 EAST ELM
STREET SET FOR PUBLIC HEARING

CC-24(c) On motion of Mayor Hinchman, Sieglock second, the City Council set for public hearing on November 20, 1991 the appeal of Notice of Public Nuisance and Order to Vacate and Order to Abate dated September 25, 1991 regarding property located at 303 East Elm Street, Lodi.

REGULAR CALENDAR There were no items listed on the Regular Calendar.

ORDINANCES

ORDINANCE RELATING TO PUBLIC
IMPROVEMENT REIMBURSEMENTS FOR CONSTRUCTION

ORDINANCE NO. 1527 ADOPTED

CC-6 Ordinance No. 1527 entitled, "An Ordinance of the Lodi City
CC-149 Council Relating to Public Improvement Reimbursements for
CC-158 Construction" having been introduced at a regular meeting
of the Lodi City Council held October 16, 1991 was brought
up for passage on motion of Council Member Snider, Hinchman
second. Second reading of the ordinance was omitted after
reading by title, and the ordinance was then adopted and
ordered to print by unanimous vote of the City Council.

ORDINANCE RELATING TO CERTAIN
KINDS OF NUISANCES

ORDINANCE NO. 1528

CC-6 Ordinance No. 1528 entitled, "An Ordinance of the Lodi
CC-149 City Council Addressing Property Maintenance and the
Designation of Certain Kinds of Nuisances" having been
introduced at a regular meeting of the Lodi City Council
held October 16, 1991 was brought up for passage on motion
of Council Member Sieglock, Snider second. Second reading
of the ordinance was omitted after reading by title, and
the ordinance was then adopted and ordered to print by the
following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock,
and Snider

Noes: Council Members - Hinchman

Absent: Council Members - None

Abstain: Council Members - None

REORGANIZATION OF THE CITY COUNCIL

CC-6 A presentation was made to Mayor Hinchman expressing appreciation for his untiring efforts for the betterment of this City during the last year.

City Clerk Reimche then called for nominations for the office of Mayor.

Council Member Sieglock nominated Council Member
Pinkerton. Council Member Pennino seconded the

Continued November 6, 1991

nomination. There being no further nominations, the nominations were closed.

Mayor Pro Tempore Pinkerton was elected Mayor by unanimous vote of the City Council.

City Clerk Reimche then handed the gavel to Mayor Pinkerton who called for nominations for the Office of Mayor Pro Tempore. Council Member Hinchman nominated Council Member Pennino. The nomination was seconded by Council Member Sieglock. There being no further nominations, the nominations were closed.

Council Member Pennino was elected Mayor Pro Tempore by unanimous vote of the City Council.

CLOSED SESSION -
LABOR RELATIONS AND
LITIGATION

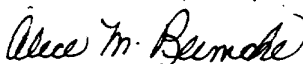
CC-200(a) At approximately 10:45 p.m., Mayor Pinkerton adjourned the
CC-200(d) meeting to a Closed Session regarding:

- a) Labor Relations; and
- b) Litigation - City of Lodi v. Dow Chemical.

ADJOURNMENT

There being no further business to come before the City Council the meeting was adjourned at approximately 11:00 p.m. by Mayor Pinkerton

ATTEST:


Alice M. Reimche
City Clerk